

**WARREN COUNTY COMMISSIONERS MEETING
MONDAY APRIL 15, 2019**

The Warren County Commissioners met for their second meeting during the month of April 2019. Present for the meeting were Clay Andrews, Brian Jordan, Adam Hanthorne and Jud Barce, County Attorney. Also, in attendance were Greg Robison, Jenny Eads, Joe Whitaker, Dwain Akers, Mitch Miles, Lon Akers, Carolyn Orr, Kimberly Dickey, Danny Little, Rozanna Etchison, Lori Austin, Charity Shettle, Mike Shettle, Neal Austin, Perry Conrad, Randy Haddock, Rusty Hart, John Kuiper, Matt Herndon, Jenny Hobaugh, Sharon Hutchison.

1. The meeting was called to order by Brian Jordan, President of the Commissioners.
2. Brian Jordan led the Pledge of Allegiance.
3. New Business:
 - a. Approval of Meeting Agenda – Brian Jordan removed Sharon Hutchison from the agenda. Clay Andrews made a motion to approve the agenda with Sharon Hutchison removed a second from Adam Hanthorne, all voted in favor.
 - b. Reorganization of the Commissioners – Brian Jordan explained due to the resignation of Tom Hetrick and appointment of Clay Andrews, the Commissioner will need to appoint a Commissioner for the areas that Hetrick oversaw such as the county farm and president of the drainage board. In the past, Jordan has been responsible for the courthouse, extension and jail facilities. The Commissioners share overseeing the Highway. Adam Hanthorne is responsible for the ambulance service and shares overseeing the jail. Adam Hanthorne made a motion to appoint Clay Andrews to oversee the county farms and President of the tri-county drainage board with a second by Brian Jordan, all voted in favor.
 - c. Zoning ordinance pertaining to wind. Jordan explained the plan is to table the ordinance and have a determination by the May 6th Commissioner meeting. Clay Andrews made a motion to table the ordinance with a second from Adam Hanthorne, all voted in favor.
 - d. Brian Jordan explained to the public that the minutes, claim dockets and payroll dockets will be approved, but signed after the meeting in the interest of saving time. Adam Hanthorne made a motion to approve the April 1, 2019 Meeting Minutes with a second from Clay Andrews, all voted in favor.
 - e. Adam Hanthorne made a motion to approve the April 1, 2019 through April 15, 2019 Accounts Payable Claim Dockets with a second from Clay Andrews, all voted in favor.
 - f. Adam Hanthorne made a motion to approve the April 12, 2019 Payroll Dockets with a second from Clay Andrews, all voted in favor.
 - g. Highway Department – Matt Herndon, Highway Department Superintendent, presented a quote from Hurricane Ditch Company for a new ditching machine in the amount of \$37,500. Andrews inquired about the amount of rock and dirt that will be removed from the ditch. Herndon explained this will distribute the excess rather than leave the dirt and rock in clumps. Additionally, this machine will allow approximately 1 mile per hour of ditching allowing for 3 miles of road on both sides per day. Andrews inquired about contacting the parcel owners prior to work being done. Herndon stated he will contact the parcel owners, but this machine will not leave large mounds of dirt and rock. Herndon explained the delivery time is June at this point. Jordan inquired about where this would be paid from. Herndon stated this will be purchased from the equipment line of the Highway budget. Clay Andrews made a motion to purchase a Hurricane Ditcher for \$37,500 from the Highway Equipment budget with a second from Adam Hanthorne, all voted in favor. Herndon stated the weather has been an issue with road work, but he is hoping for dry weather this week.
 - h. Quotes for Commissioners Laptops. Jordan explained the quotes to the public. The quotes are from Axxess PC for \$1,172.85 each for 2 commissioner laptops. Jordan explained he does have a county laptop as well. Brian Jordan made a motion to purchase the 2 laptops with a second from Adam Hanthorne, all voted in favor.
 - i. Airespring Phone Contact Renewal. After much discussion, the Commissioners opted for a 1-year contract rather than 3-year contract. Barce explained a 1-year contract would be ideal as broadband could be implemented in the future. Weston-Hubner explained the ports are \$145 and phone numbers are \$0.50 per month with 24 PRI trunks/digital lines. Clay Andrews made a motion to renew the Airespring contract for 1 year with a second from Adam Hanthorne, all voted in favor.
 - j. Emergency Medical Services update – Bryan Lanham, EMS Director and Mitch Donis from St Vincent presented a quarterly report showing all ambulance runs by month for the last year. There were only 5 calls that outside county ambulances responded due to all county ambulances were already on runs. There was an average of 6.1 calls per day. They have not used medic 3 as much due the cold weather as it is parked outside and takes so long to warm up but with the weather warming up it will be utilized more to keep miles equalized. Lanham explained medic 3 will need to be serviced soon. Donis explained the financial report showing the breakdown of revenue and expenses for the last 9 months. The income after county reimbursement is \$15,156. The admin costs are 5% of the hospital total admin which is figured by EMS being 5% of the hospital's income. Donis stated the fleet is in good shape and he inquired about a rotation schedule for the future. Lanham will work on a rotation plan and present to the Commissioners. A new truck is not needed this year. Donis and Lanham are suggested a remount as part of a rotation schedule. Lanham explained in a remount the box is refurbished and remounted on a new chassis. Lanham explained the county owned monitors are not mounted in the ambulances and this is a safety issue. Lanham presented a quote for 2 Zoll monitor mounting brackets in the amount of \$585.84 each. Donis explained the monitors will only require software updates in the future rather than replacement. Jordan explained the public safety fund has a balance of \$278,000 which has a budget line for ambulance equipment. Adam Hanthorne made a motion to purchase 2 mounting brackets for the ambulances from the public safety fund with a second from Clay Andrews, all voted in favor. Donis will prepare a report showing information concerning the ambulances. There are two 2017 ambulances due to the 2015 ambulance fire and new ambulance purchase. Donis and Lanham will research the purchase rotation schedule concerning van style compared to box style. Lanham explained the ambulances are repaired by Dowell Repair Shop that specializes in ambulance repair. Donis stated he is working on staffing models for the future. At this point, the EMS is in a much better staffing position right now. Hanthorne inquired about EMT classes. Lanham and Donis stated the classes are still being organized through the High Schools, as well as the EMT office in Benton County beginning possibly this fall. Lanham

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informed the Commissioners that there will be a car crash demonstration at Seeger High School Wednesday April 17th beginning at 1:00 p.m.

- k. Farm Pasture Lease – The Commissioners discussed the 2019 pasture lease, which is 82.82 acres. Jordan explained to the lease to the public. Clay Andrews made a motion to approve the 2019 pasture lease for \$900 to Hermie Fink with a second from Adam Hanthorne, all voted in favor.
4. Elected Official/Department Head comments:
 - a. Phil Astell, Warren County EMA Director and Joe Whitaker, Fountain County EMA Director presented information concerning a reverse 911 program. Astell explained a meeting was held in Fountain County last week with Warren County. At the meeting, there were 4 different programs that were discussed and presented. This is a reverse 911 which allows specific emergency messages to be sent to a specific demographic area. Astell further explained Dispatch, Sheriff Offices and EMA will have access and only emergent information will be sent. Greg Robison explained the emergent fee is only the quoted amount. The quote is for \$6,750 with unlimited emergency use and \$8,651 for fully unlimited use. The EMS directors will meet with the Fountain County Commissioners tonight to discuss a joint county purchase. Astell explained there is a \$750 automated NWS Weather Warning System fee that can be added. The quote can be per year or a 3 year license. Rusty Hart, sheriff, explained in order to get the forced messages, Home Land Security approval is required otherwise people would be required to sign up to receive messages. Astell explained this is something that can be used for cell phones as well as home phones and can send approximately 3000 messages per second. Robison stated this was discussed at the joint meeting for both Fountain and Warren County to utilize. Jordan explained the reverse 911 to the public stating this is a safety feature to get information out to people. Astell stated Code Red is used in Vermilion County Illinois as well. Whitaker explained if someone is a subscriber, they will receive messages while traveling in communities that use Code Red as well. Astell is requesting approval to move forward. Adam Hanthorne made a motion to move forward with the Code Red proposal with a second from Clay Andrews, all voted in favor.
 - b. Rusty Hart, Sheriff, explained an issue in Foster that has been ongoing for several years. A street in Foster has not been maintained in previous years, but a parcel was purchased that will need the street in order to access the parcel. The County paid for a survey and building of the road previously. An elderly lady has started barricading the road again as she had done in previous years. The highway department has worked on the road this year prior to the barricading. Hart stated the Commissioners may need to help with this issue. Hart will keep the Commissioners informed.
5. Old Business:
 - a. Frost Law - Benton County Frost Law Ordinance was given to the Commissioners by Barce. Barce additionally presented and explained several other county ordinances as well as State Code pertaining to the frost law for review. There are several options that will be discussed at a later meeting. Jordan explained to the public how the ordinance is used in the County currently and why this is something to be looked into in order to keep our roads in good shape.
 - b. Security Ordinance – Barce explained confiscating weapons was last discussed. Jordan stated the restriction would possibly be 3rd floor only and the public space in the offices would be at the end of each counter for public access. Barce will add a line concerning the public areas and send back to the Commissioners for review. Hart suggested something to notify the public concerning the restrictions. Hanthorne inquired about a full-time officer at the courthouse in the future. Hart stated Fountain County has court security for off time officers and if this would be a full-time position, then another officer would need to be added to the Sheriff Department.
 - c. Sale of Surplus property – Barce explained the sale of surplus property. The County could allow the items to be reviewed, a bid submitted, then the bids opened and all can happen on a specific day.
 - d. Amendment Zoning. Barce discussed the Area Plan Commission meeting that had taken place a few weeks ago stating that the petition did not have the proposed information from last year. The Plan Commission Meeting had 2 of 3 proposals and needed 4 votes, but only had 3 votes which would not allow a final action. Kuiper had asked Barce to inform the Commissioners that the proposals could be sent back for a full board review. Barce explained the petition can be set for the May 6th Commissioner meeting which would be advisory not final action from the Area Plan Commission. The Commissioners can send the petition to the Area Plan Commission again with the zoning ordinance change request from April 2018 included. Barce explained last year the request was not treated as a request from the Commissioners thus the request must be presented again. The first step has not been completed properly. Jordan explained to the public that the zoning ordinance change that was requested last year needs to be correct this time. Barce suggested having the proposal discussed by the Commissioners at the May 6th meeting to send back to the Area Plan Commission. Hanthorne inquired about the timeline for the petition to go to the Area Plan Commission earlier. Barce explained the Commissioners can hold a Special Meeting to move the timeline up. Andrews inquired about the redundancy of amendment #3. Kuiper stated he will discuss this with the Area Plan Board to ensure that the entire board will be present for a meeting. Kuiper clarified that this ordinance is for future wind projects. Barce explained the advertisement will be the final ordinance. The Commissioner set a Special Meeting for April 18th at 6:00 p.m. to approve the petition that will be sent to the Area Plan Commission.
6. Public Comment:
 - a. Danny Little, Tab resident, inquired the items that he had presented at earlier meeting. Little discussed the improvement of the intersection at 800W and 700N concerning who improved the area. The route was supposed to be 800W. Little inquired about the speed limit signs in Tab on 650N as well. Hanthorne inquired about other speed limit signs along that area. Little stated there are signs, but not at the intersection of 650N and 800W. Additionally, Little suggested a change or alteration to the recycling schedule as there have been times when Tab residents have not had a recycling bin for long periods. Hart inquired about signs being posted rather than change of speed limit. Little suggested posting signs from the north and south with no change in speed limit. Hart stated if a county road is not posted, the speed limit 55 mph.
 - b. Carolyn Orr, Steuben Township Trustee, inquired about the broad band grant that she had previously presented. Orr presented a summary of the grant to the Commissioners as well as surveys that had been conducted. Maps were presented concerning unserved citizens concerning internet service. Orr requested a location of all county


owned properties. Kuiper stated Karen Brooks, Deputy Zoning Director, will compile the information. Orr will finish the grant, then a letter of support from the Commissioners will need to be prepared. Orr presented a petition to close the road off of 3rd street in West Lebanon, she will send to all Commissioners. Jordan stated Barce and the Commissioners will review this for the May 6th Commissioner meeting.


- c. Lori Austin, county resident, asked for clarification concerning the zoning ordinance change. Austin state that this will be the third time back to the APC and if no recommendation, what can the Commissioners do. Barce explained this is being sent back because the voting did not constitute a final action in the prior meetings. The Commissioners, after back from the Area Plan Commission, can approve or change the proposal. Austin questioned the board attendance at the previous APC meetings. Barce explained the meetings had quorums. Austin inquired about the process and if the Commissioners will review prior to having posted in the newspaper. Perry Conrad inquired about what was presented at the meetings last year and was not what was requested last year. Jordan further explained the Commissioners want this done correctly.
- d. Charity Shettle, Resident, stated the zoning ordinance change has been going on for a year and the previous county attorney never said this was done wrong. Shettle additionally stated, the Zoning Director never said it was being done wrong. The APC meeting did not allow public comment. Shettle stated Kuiper informed the commissioners that the APC could not make a decision and the Commissioners will need to do something else. Shettle stated the Commissioners sent it back again and 6 months later there is still no decision nor a meeting scheduled. This is obviously a ploy to push it back so that the wind company can get what they want to stop us from doing it. Shettle stated Wilma Shackleton did not show up on time and the meeting was delayed, was this a ploy by Shackleton so that there are not enough people to vote on the request. Kuiper tried to explain, Shettle asked him to be quiet for a minute. Shettle is requesting Kuiper be fired as he does not do his job. The ADA hearing issue that Shettle needed was not done by Kuiper, ADA Director and Jordan had to do it himself. Shettle is requesting an investigation into Kuiper as he is incompetent with doing his job or he is doing this on purpose and why there are not enough people at the APC meetings when Kuiper should have there for official meetings. If there is a woman not going to vote then she should read the information or let us talk to her. The only reason to be recused from this is if you own property that a wind company has leased. Otherwise, if the board is not going to do their job they should not be on the board. This is ridiculous and why is the wind company fighting so hard to stop this if only effects future projects. Another zoning director would give a fair shake rather than those that had wind mills as there are thousands that do not want wind mills. Kuiper stated he was not hired to be the county ADA Coordinator and as far as Shackleton goes, she was not able to attend the meeting and the reason they waited is because Marty Blessing was on his way. Etchison, stated she understands the frustration with Kuiper and what they have gone through for the change in ordinance. Etchison inquired if it is legal to record what people say in the State of Indiana. Barce stated it is. Etchison stated she went into the zoning office and recorded Kuiper concerning the sound ordinance and setbacks. Etchison stated she asked Kuiper how do you change that ordinance as it was changed by the wind company and Etchison said that Kuiper stated you bring something and present it and the Commissioners will put it through. Etchison stated she has this recorded. Kuiper stated if that is what was stated then he misspoke. Etchison stated Kuiper does not know his job. This has been submitted years ago. Shettle question, if the wind company changed out the sound ordinance and this was tried to be kept quiet as they have email evidence of this, the wind company did not do the process correctly then how can the change be accepted and will this go back to the original ordinance. Shettle stated the new ordinance was up to 75 decibels. There were Commissioner meetings each week and Hetrick said it was being pushed through too fast so why is this taking so long this time. Shettle will file to have a formal complaint that the existing sound ordinance process looked at. Mike Shettle stated there were 2 Commissioner meetings and an APC meeting within 2 weeks which is not enough time for a 2-week notice. Kuiper stated he will defend the Zoning Office. The zoning meetings have 2-week advertisements and the notices were in the newspaper. Barce stated Shettle can file a complaint through the Warren Circuit Court and an attorney with zoning background would be recommended. Hanthorne inquired about the next scheduled APC meeting. Kuiper stated May 21st at 5:00 p.m.
- e. Lon Akers, county resident, stated rushing the date of the APC meeting might make it hard for people to attend.

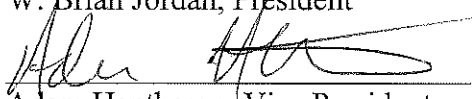
Next Commissioner Meetings will be held April 18, 2019 at 6:00 p.m. and May 6, 2019 at 8:30 a.m.

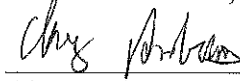
There being no further business Clay Andrews made a motion to adjourn with a second from Adam Hanthorne, all voted in favor.

ATTEST:


Robin Weston-Hubner, Auditor


W. Brian Jordan, President


Adam Hanthorne, Vice President


Clay Andrews